

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ALAN GOETSCH and PAMELA GOETSCH,)	
)	
Plaintiffs,)	
)	
v.)	No.: 3:13-CV-537-PLR-CCS
)	
HOME DEPOT U.S.A., INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the court on the plaintiffs' motion [R. 44] asking the court to reconsider its previous order granting the defendant's request for additional time to complete depositions and mediation.

Defendant, in its original motion, stated that additional time was needed due to (1) incomplete discovery responses from plaintiffs; (2) the need to obtain records of prior medical treatment given to Mr. Goetsch; (3) cancellation of plaintiffs' depositions scheduled for August 5, 2014, which were cancelled due to the hospitalization of Mr. Goetsch; and (4) the need for an independent medical examination of Mr. Goetsch prior to conducting mediation. In light of these issues, defendant requested an additional 90 days in which to complete discovery and conduct mediation.

In support of their motion for reconsideration, plaintiffs state that defendants have had ample time to conduct discovery, including obtaining Mr. Goetsch's medical records,

and the plaintiffs' depositions. Therefore, plaintiffs ask the court to reconsider the order granting an extension of time to defendant. Plaintiffs aver that they will be prejudiced by any extension of the time allowed to defendant. The court finds plaintiffs' argument without merit.

In its original order directing the parties to mediation, the court ordered the parties to complete discovery, including the depositions of plaintiffs and representatives of defendant by August 8, 2014, and to mediate the case by September 8, 2014. It appears to the court that plaintiffs are responsible for the parties' delay in complying with the court's order, and the court finds that defendant's request for a short extension of time (90 days) is reasonable under the circumstances. Accordingly, plaintiffs' motion for reconsideration [R. 48] is not well-taken and is **DENIED**.

IT IS SO ORDERED.

Enter:


UNITED STATES DISTRICT JUDGE